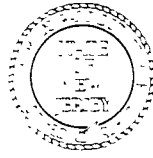


ADMINISTRATIVE OFFICE OF THE COURTS
STATE OF NEW JERSEY

ROBERT D. LIPSCHER
ADMINISTRATIVE DIRECTOR OF THE COURTS



CN 037
TRENTON NEW JERSEY 08625

MEMORANDUM TO: **MUNICIPAL COURT JUDGES
MUNICIPAL COURT DIRECTORS
MUNICIPAL COURT ADMINISTRATORS**

FROM: Robert D. Lipscher *RL*

SUBJECT: **REVISION TO STATEWIDE VIOLATIONS BUREAU SCHEDULE**

DATE: September 4, 1992

Attached is a revision to the Statewide Violations Bureau Schedule, effective September 15, 1992.

N.J.S.A. 39:3-76.2(a) (**Failure to Use a Child Passenger Restraint When Transporting a Child Under the Age of Five**) has been added to the Statewide Violations Bureau Schedule. The penalty for this offense shall be \$36.00.

/mmc
12/127


Attachments

cc: Assignment Judges
Presiding Judges - Municipal Courts
Trial Court Administrators (w/o attachments)
Municipal Court Liaisons

NOTICE TO THE BAR

The following Statewide Violations Bureau Schedule has been amended, effective September 15, 1992, and shall be prominently posted at the location of each violations bureau.

DATED: 9/4/92


Robert D. Lipscher
Administrative Director
of the Courts

/mmc
12/78

STATE OF NEW JERSEY
STATEWIDE VIOLATIONS BUREAU SCHEDULE

Pursuant to R. 7:7-3, the following Violations Bureau Schedule has been amended, effective February 1, 1992 and shall be prominently posted at the location of each Violations Bureau.

MOTOR VEHICLE SECTION

<u>TITLE 39</u>		<u>PENALTY</u>
3-4	Driving or parking unregistered motor vehicle	\$ 31
3-9a	Failure to notify change in name	21
3-9a	Failure to endorse license	36
3-10	Driving with an expired license (When paying through the Violations Bureau the defendant is required to attach a photocopy of a valid driver's license to the summons.)	31
3-11	Conditional license violation	36
3-17	Failure of possession of driver's license and/or registration (Non-resident motorists)	31
3-20	Excess weight	516 plus \$100 for each 1,000 lbs. or fraction thereof
3-20	Speed Violation	Same Penalties as <u>N.J.S.A. 39:4-98</u>
3-29	Failure of possession of driver's license and/or registration and/or insurance identification card (Note - If violation is for more than one offense involving license, registration or insurance card, they are separate offenses and the Penalty indicated is for each offense.)	31
3-29	Refusal to exhibit driver's license and/or registration and/or insurance identification card (Note - If violation is for more than one offense involving license, registration or insurance card, they are separate offenses and the Penalty indicated is for each offense.)	31
3-32	Failure to replace lost, destroyed or defaced driver's plates.	31
3-33	Display of unclear, indistinct license plates - (Limited to this portion of Statute only.)	31
3-36	Failure to notify complete change of address	21
3-38	Use of other marker (Limited to this portion of the Statute only.)	41
3-44	Vehicle in unsafe condition	31
3-47	Improper lighting equipment; altering equipment	31
3-49	Headlights	31
3-50	Improper use of emergency lights (limited to subsections (a) and (b) only.)	31
3-51	Improper auxiliary driving lamps	31
3-52	Improper additional lighting equipment and use thereof	31
3-53	Spot lamps	31

MOTOR VEHICLE SECTION

<u>TITLE 39</u>		<u>PENALTY</u>
3-54	Special restrictions on lights	\$ 31
3-55	Improper operation with alternate road lighting equipment	31
3-56	Operating without front lighted lamps	31
3-57	Improper single beam lighting	31
3-58	Improper multiple beam headlights	31
3-59	No light beam indicator	31
3-60	Improper use of high and low headlight beams	31
3-61	Lamps and reflectors required on particular vehicles	31
3-61.1	Mounting of lamps and reflectors	31
3-61.2	Combination of lighting devices and reflectors; prohibited combinations	31
3-61.3	Stop lamps: construction, placement and use	31
3-61.4	Overhanging loads; placement and use of red lamps and flags	31
3-62	Unlighted lamps on parked vehicle	31
3-64	Emergency warning light equipment	31
3-64.3	Signals to flash simultaneously when stopped for transacting business	31
3-65	Lamps on other vehicle and equipment	31
3-66	Maintenance of lamps	31
3-69	Horns and warning devices	31
3-70	Noisy muffler	31
3-71	Mirrors	31
3-72	Tire Equipment	31
3-73	Tire chains	31
3-74	Obstruction of windshield for vision	31
3-75	Safety glass requirement	31
3-76.2	Safety belt equipment	31
3-76.2a	Failure to use a child passenger restraint when transporting a child under the age of five	36
3-76.2f	Failure to wear seat belt (<u>N.J.S.A. 39:3-76.2j</u>)	36
3-76.3	Motorcycles; height of handle bar grips	31
3-76.4	Muffler systems for motorcycles	31
3-76.5	Footrests and helmet for motorcycle passenger	66
3-76.6 to		
3-76.10	Motorcycle operation and equipment violations	31
3-79.1	Device to prevent throwing of dirt on following vehicles (buses, trucks, trailers)	31
3-81*	Use of stud tires - (Limited to this portion of Statute only)	41
*3-81	<u>Note</u> - by regulation of the Director of Motor Vehicles, stud tires shall not be used on a highway earlier than November 15 or later than April 1	

MOTOR VEHICLE SECTION (CONT)TITLE 39PENALTY

3-84	Excess weight and dimensional restrictions <u>N.J.S.A. 39:3-84.3</u>	\$166
	Dimensional violation:	
	Weight violation: According to excess pounds per Statute, but not less than (minimum)	66
4-10 to 4-14.2	Bicycles and roller skates	31**
4-15 to 4-25.1	Horses and Horse-Drawn Vehicles	31
4-26 to 4-30	Machinery, vehicles or apparatus of unusual size or weight (Fine to be paid to agency charged with maintenance of road upon which violation occurs).	66
4-32 to 4-37.1	Pedestrian violations	31**
4-38 to 4-45	Street cars	31
4-46	Commercial vehicle - Display of owner's name (Fine to be forwarded to Motor Vehicle Division)	21
4-53	Leaving vehicle with engine running	31
4-54	Trailers - equipment required, towing, etc.	41
	Dimensional restriction	See <u>N.J.S.A. 39:3-84</u>
	Excess weight	See <u>N.J.S.A. 39:3-20 & 3-84</u> as applicable***
4-55	Action on steep grades and curves	31
4-56	Delaying traffic	31
4-56.6	Abandonment of vehicle on private property (First paragraph)	36
4-57	Failure to comply with direction of officer	31
4-58	Vehicle loaded obstructing view	31
4-59	Hitch-hiking	31
4-60	Soliciting trade or contributions on highway	31
4-61	Tailboard riding	31
4-62	Leaving curb	31
4-64	Throwing matter from vehicles	116
4-65	Letting off or taking on persons	31
4-66	Emerging from alley, driveway or garage	31
4-66.1	Yield right-of-way when entering or leaving highway to or from private road or driveway	31
4-67	Obstructing passage of vehicles	31
4-68	Doors of streetcar or autobus closed	31
4-69	Riding on part of truck, bus or vehicle not intended for passengers	31
4-71	Driving on sidewalk	31
4-72	Stopping on signal from driver of horse	31
4-76	Overweight vehicles on bridges (interstate) (Fine to be forwarded to Director of Motor Vehicles)	
	Same Penalties as <u>N.J.S.A. 39:3-84</u>	

**The appropriate penalty under the Violations Bureau Schedule is \$21 (\$10 + \$10 court costs + \$1 ATS Surcharge) when committed by a juvenile under the age of 17. N.J.S.A. 39:4-20.3.3.

***If N.J.S.A. 39:3-84 is the applicable statute, the appropriate penalty under the Violations Bureau Schedule is \$0.02 per pound of the total excess weight if the total excess weight is 10,000 lbs. or less and \$0.03 per pound of the total excess weight if the total excess weight is more than 10,000 lbs but in no event less than \$66 (\$50 + \$15 court costs + \$1 ATS surcharge). See N.J.S.A. 39:3-84.3j.

TITLE 39

4-77	Loading so as to spill	\$ 36
4-78	Carrying metals (Noise)	31
4-79	Backing vehicle to curb to unload	31
4-80	Disobedience of traffic officer	66
4-81	Failure to observe traffic signal	66
4-82	Failing to keep right	66
4-82.1	Driving on safety island	66
4-83	Keeping to right at intersections	66
4-84	Passing to right - vehicles moving in opposite directions	66
4-85	Passing to the right when overtaking; passing when in line, signals, etc.	66
4-85.1	One-way traffic	66
4-86	Passing to left of center, on grade or curve	66
4-87	Failing to give overtaking vehicle right of way	66
4-88	Driving in marked lanes	66
4-89	Following: space between trucks (less than 100 ft. outside business or residence district), except to pass	66
4-90	Right of way at intersection	66
4-90.1	Entering or leaving limited access highways improperly	66
4-91	Right of way of emergency vehicles	66
4-92	Clearance for, following or parking near emergency vehicles	66
4-92.1	Clearance for fire apparatus returning to fire station	66
4-94	Railroad employee unnecessarily blocking highway with train	66
4-97	Careless driving where no accident involving personal injury (Note - Accident resulting in <u>personal injury</u> cannot be paid through the Violations Bureau, R. 7:7-3(2) and (5).)	66
4-97.1	Slow Speed as blocking traffic	66
4-98	Speeding	

<u>Exceeding the limit by:</u>	<u>(minimum) Penalty</u>
1-15 miles per hour	\$ 66
16-20 miles per hour	76
21-25 miles per hour	86
26-30 miles per hour	96
31-35 miles per hour	106
36-40 miles per hour	116
etc.	etc.

NOTE: Court costs and a \$1 ATS surcharge are included in the above penalties. See page 12 of the schedule for allocation of penalty between fine, costs, and \$1 ATS surcharge.

4-100	Rate of speed across sidewalk (4 mph)	66
4-115	Turns at controlled intersection	66
4-116	Special right or left turn	66
4-117	Special pedestrian signals - (pedestrian violation) (motorist violation)	66
4-119	Failure to observe flashing traffic signals	66
4-122	Failure to obey signal of police	66

<u>TITLE 39</u>	<u>PENALTY</u>
4-123 Right and left-hand turns	\$ 66
4-124 Failure to turn as indicated by buttons or markers at intersection	66
4-125 U-turn on curve or grade or where view obstructed or "No U-Turn" sign	66
4-126 Failure to signal before starting, turning or stopping	66
4-127 Backing or turning in street	66
4-127.1 Stopping at railroad crossing (under certain circumstances)	66
4-127.2 Failure to stop for gate at approaches to movable span bridge	66
4-128 Failure to make full stop at railroad gate or crossing (buses, school buses, fuel trucks)	36
4-135 Parking: direction and side of street; angle parking and one way street parking	31
4-136 Parking on highway; removing disabled vehicle	31
4-137 Vehicle without driver; brakes set; motor stopped, etc.	31
4-138 Improper parking	
a. Within intersection	31
b. On a crosswalk	31
c. Safety (bus) zone	31
d. In front of driveway	31
e. Within 25 ft. of crosswalk	31
f. On a sidewalk	31
g. "No Parking" area established by State Highway Department	31
h. Within 50 feet of "Stop" sign	31
i. Within 10 feet of fire hydrant	31
j. Within 50 feet of railroad	31
k. Within 20 feet of driveway entrance to fire station or 75 feet on opposite side of street (when properly signposted)	31
l. Alongside or opposite street excavation or obstruction, causing traffic obstruction when properly signposted	31
m. Double parking	31
n. On a bridge, elevated structure, underpass or immediate approaches (except where space for parking is provided)	31
4-139 Loading or unloading for unreasonable period of time	31
4-144 Failure to obey "Stop" or "Yield Right of Way" signs	66
4-145 Failure to yield to vehicle entering stop or yield intersection after stopping	66
4-208 Improper parking on state property	31
4-215 Failure to obey signals, signs or directions	31
8-1 Failure to have inspection	31
8-4 Failure to make repairs	31
8-6 Failure to display approval certificate	31

(Fines for inspection violations to be forwarded to Division of Motor Vehicles)

N.J.S.A. 54:39A-10 Failure to exhibit identification marker or card - Motor Fuels Use Tax Act (Fine to be forwarded to Division of Motor Vehicles)

30

GARDEN STATE PARKWAY REGULATIONS
(Coding under New Jersey Administrative Code)

<u>Regulation No.</u>		<u>PENALTY</u>
<u>N.J.A.C.</u>		
19:8-1.2	Speed-limits	Same Penalties as <u>N.J.S.A.</u> 39:4-98
19:8-1.3	Retarding traffic	\$ 66
19:8-1.4	Uniform direction of traffic	66
19:8-1.5	Passing	66
19:8-1.6	U-Turns prohibited	66
19:8-1.7	Use of medial strip and roadside areas prohibited	66
19:8-1.8	Parking, Standing, Stopping	31
19:8-1.9	Limitations on use of Parkway	
	(a) No vehicle shall enter or leave the Parkway except at access points designated	66
	(b) Use of the Parkway and entry thereon by the following is prohibited at all times:	
	1. Pedestrians except on sidewalks, footpaths, and other areas specifically designated	31
	2. Vehicles drawn by animals	31
	3. All bicycles other than motorcycles	31
	4. Animals led, ridden, unattended or driven on the hoof other than horses on bridle paths and leashed dogs in permitted areas	31
	5. Vehicles containing animals or poultry not properly confined	31
	6. Vehicles whose condition, equipment or tires create a probable hazard to such vehicles or others	31
	7. Farm implements and farm machinery whether self-propelled or towed	31
	8. Vehicles with improperly secured attachments or loads	31
	9. Vehicles with deflated pneumatic tires, metal or solid tires, or caterpillar treads	31
	(Deflated pneumatic)	31
	10. Construction equipment other than trucks except by special permit from Authority	31
	11. Vehicles, or combination of vehicles, including any load exceeding maximum dimensions: Height - 13'6"; Width - 8'0"; Length - 55'0"	166
	12. Motor vehicle in tow or motor vehicles pushing or being pushed on travel portion of road, except the moving of disabled vehicles under State Police direction	31
	13. Vehicles with loads extending more than four (4) feet beyond the rear or front of the body	31
	14. Vehicles carrying anything on the top, sides, front, or rear with lateral projection in excess of twelve (12) inches or vertical projection in excess of twenty-four (24) inches from body of vehicle	31
	15. All vehicles except cars, campers, omnibuses, and vehicles entitled to toll-free passage under <u>N.J.A.C.</u> 19:8-3.2 (Toll-free passage) are prohibited from the Parkway north of Interchange 105.	31

REGULATION NO.N.J.A.C.

19:8-1.10	Violation of Civil Defense Regulations	\$ 31
19:8-1.11	Load limit of structures	41
19:8-1.13	Failure to obey traffic control device	66
19:8-2.1	Littering	36
19:8-2.3	Display of posters prohibited	31
19:8-2.4	Parades and Demonstrations prohibited, picnics prohibited, except at designated sites	41
19:8-2.5	Hunting and Trapping prohibited	31
19:8-2.7	Fires prohibited	31
19:8-2.8	Soliciting of alms or contributions prohibited	31
19:8-2.9	Hitch-hiking and loitering prohibited	31
19:8-2.10	Sales and distribution prohibited	31
19:8-3.1	Refusal to pay or evading payment of tolls	41

Statutory Provisions in Addition to RegulationsN.J.S.A.PENALTY

27:12B-18	(b) Careless driving where no accident involving personal injury	Same Penalty as <u>N.J.S.A.</u>	39:4-97
	(d) Slow speed so as to impede or block traffic		\$ 66
	(f) Failure to obey directions of police officer or traffic device		66

TURNPIKE - REGULATIONSREGULATION NO.N.J.A.C.PENALTY

19:9-1.2	Speed limits	Same as <u>N.J.S.A.</u>	39:4-98
1.3	Traffic Control Devices		\$ 66
1.4	Uniform direction of traffic		66
1.5	U-Turns prohibited		66
1.6	Parking, Standing or Stopping		31
1.7	Use of medial strip prohibited		66
1.8	Violations of Air Raid precautions		31
1.9	Limitations on use of turnpike		
	1. Pedestrians		31
	2. Bicycles		31
	3. Motorcycles during adverse weather conditions		31
	4. Vehicles drawn by animals		31
	5. Animals led, ridden or driven		31
	6. Vehicles loaded with animals or poultry not properly confined		31
	7. Vehicles with deflated pneumatic tires or with tires in unsafe condition		31
	8. Farm implements and machinery whether self-propelled or towed		31
	9. Passenger vehicles or passenger vehicle drawn trailers with improperly secured loads, including loads on top or sides with lateral or horizontal projection in excess of 12" or vertical projection in excess of 24"		31
	12. Dimensional specifications		166
	14. Vehicles towed by other vehicles, unless in accordance with regulations		31

REGULATION NO.N.J.A.C.PENALTY

19:9-1.9	15. Vehicles with loads extending more than four (4) feet	31
	16. Vehicles with improperly secured loads	36
	17. Vehicles loaded or operated so that contents may be scattered on roadway	36
	18. Vehicles unable to maintain speed of at least 35 mph on level grade	31
	19. Vehicles in such condition as to create hazard to other vehicles or to persons	31
	20. Certain vehicles banned during adverse weather conditions	31
	21. Specified towing violations	31
	23. Commercial vehicles overloaded with hay or straw	36
1.10	Littering	36
1.11	Commercial vehicles loaded as to spill, not covered by tarpaulin	36
1.13	Hitch-hiking, loitering	31
1.14	Failure to follow prescribed towing regulations	31
1.17	Turnpike project	66
1.18	Violation of maximum sound levels	106
1.19	Tolls	41
1.20	Records	41

Statutory Provisions in Addition to RegulationsN.J.S.A.PENALTY

27:23-25	Refusal to pay or evading payment of tolls	\$ 41
27:23-26	Careless driving where no accident involving personal injury	Same Penalty as <u>N.J.S.A. 39:4-97</u>
27:23-27	Slow speed so as to impede or block traffic	66
27:23-28	Failure to obey directions of police officer or traffic device	66

ATLANTIC CITY EXPRESSWAY - REGULATIONSREGULATION NO.N.J.A.C.PENALTY

19:2-2.1	Speed limits	Same as <u>N.J.S.A. 39:4-98</u>
19:2-2.2	Retarding traffic	\$ 66
19:2-3.1	Failure to comply with signs or signals	66
19:2-3.2	Uniform direction of traffic	66
19:2-3.3	Use of Passing Lane	66
19:2-3.4	U-Turns prohibited	66
19:2-3.5	Use of median strip and roadside areas	66
19:2-3.6	Parking, Standing or Stopping of vehicles	31
19:2-3.7	No vehicle shall enter or leave Expressway except at access points designated	66
19:2-3.8	Violation of Civil Defense Regulation	31
19:2-4.1	Pedestrian violations	31
19:2-4.2	Animals led, ridden or driven on the hoof	31
19:2-4.3(a)	Restricted vehicles:	
	1. Vehicles drawn by animals	31
	2. Bicycles, with or without motors, motor scooters and motorcycles	31
	3. Vehicles with livestock not properly confined	31
	4. Farm implements or machinery, either self-propelled or towed	31
	5. Construction equipment other than trucks	31

ATLANTIC CITY EXPRESSWAY - REGULATIONSRegulation No.
N.J.A.C.PENALTY

19:2-4.3(a)	6.	Vehicles with deflated pneumatic tires, metal or solid tires, or caterpillar treads (Deflated pneumatic)	31 31
	7.	Vehicles in tow except as provided in Regulation 4.3	31
	8.	Vehicles with improperly secured attachments or loads	31
	9.	Vehicles including any load exceeding maximum dimensions: Length - 55'0"; Width - 8'0"; Height - 13'6"	166
	10.	Vehicles with loads extending more than four feet (48 inches) beyond the front or rear of the body, or with lateral projections in excess of 12 inches or vertical projections of 24 inches (passenger vehicles only)	31
	11.	Vehicles whose condition, equipment or tires are considered unsafe for operation	31
	12.	Vehicles performing emergency or repair service unless acting under contract or permit from the Authority	31
19:2-4.6		Tampering with or misusing Emergency Call Box System	31
19:2-5.1		Littering	36
19:2-5.3		Unauthorized advertising devices and posters	31
19:2-5.4		Parades, demonstrations and picnics prohibited	31
19:2-5.5		Igniting fires or fireworks prohibited (Court appearance required for use, display or discharge of firearms or weapons)	31
19:2-5.6		Hunting, trapping and fishing prohibited	31
19:2-5.7		Sales and distribution prohibited	31
19:2-5.8		Soliciting of alms prohibited	31
19:2-5.9		Hitch-hiking and loitering prohibited	31
19:2-6.1		Refusal to pay or evading payment of tolls	41

Statutory Provisions in Addition to RegulationsN.J.S.A.PENALTY

27:12C-37	(B)	Careless driving where no accident involving personal injury	Same Penalty as <u>N.J.S.A.</u> 39:4-97
	(D)	Slow speed so as to impede or block traffic	\$ 66
	(F)	Failure to obey directions of police officer or traffic device	66

N O T E: The Penalty listed for the following violations namely:

- Regulation and Registration of Power Vessels (with the exceptions of N.J.S.A. 12:7-45 (Speed of power vessels (wash or wave)) and N.J.S.A. 12:7-48 (Mooring, grounding or abandoning hulk or derelict))
- Boating Regulations
- Water Skiing
- Personal Watercraft

include a \$50.00 VCCB assessment, as part of the total penalty. The \$50.00 VCCB assessment applies because they are petty disorderly persons or disorderly persons offenses. N.J.S.A. 12:7-34.51. Accordingly, when processing a payment through the Violations Bureau, \$50.00 should be allocated for forwarding to the Violent Crimes Compensation Board with the monthly report.

REGULATION AND REGISTRATION OF POWER VESSELS

<u>Statute No.</u>		<u>PENALTY</u>
<u>N.J.S.A.</u>		
12:7-34.4	Registration of Power Vessels	\$115
34.9	Possession and exhibition of license	80
34.38	Numbering of vessels	115
34.39(b)	Certificate of number not in possession	115
(c)	Assigned number not displayed	115
34.45(a)	Failure to report change of address	80
(b)	Failure to report change of owner	80
34.47(c)	Manufacturers' and dealers' numbers, display	115
34.47 c	Display of tax exemption decal	80
45	Speed of power vessels (wash or wave)	65
48	Mooring, grounding or abandoning hulk or derelict	65

BOATING REGULATIONS

<u>N.J.A.C.</u>		<u>PENALTY</u>
7:6-1.3	Numbering pattern	\$115
7:6-1.4	Display of numbers on vessels	115
7:6-1.8	Transfer of certificate	80
7:6-1.15	Display of validation sticker	80
7:6-1.16	Numbering of manufacturers' dealers' boats	115
7:6-1.17	Numbering of livery boats	115
7:6-1.19	Change in address	80
7:6-1.21	Renewal of registration	80
7:6-1.22	Minimum equipment	115
7:6-1.23	Lifesaving devices	115
7:6-1.24	Rotating or sequential flashing light not permitted	115
7:6-1.25	Siren shall not be permitted	115
7:6-1.26	Muffling device	115
7:6-1.27	Use of cutouts	115
7:6-1.30	Transversing race course	115
7:6-1.31	Speed (wash and wave)	115
7:6-1.33	Anchoring near aid to navigation	115

BOATING REGULATIONS (Cont.)

<u>N.J.A.C.</u>		<u>PENALTY</u>
7:6-1.34	Anchoring in channels	\$115
7:6-1.36	Riding on vessel in such position as to endanger life or limb	115
7:6-1.37	Water-skiing	115
7:6-1.38	Finding, recovery of boat; department to be notified	115
7:6-1.42	Diving and swimming	115

WATER SKIING

7:6-3.1	Beaver Dam Creek, Point Pleasant and Brick Town, Ocean County	115
7:6-3.2	Deal Lake, Monmouth County	115
7:6-3.3	Grinnel Lake, Sussex County	115
7:6-3.4	Indian Lake, Morris County	115
7:6-3.5	Paulinskill Lake, Sussex County	115
7:6-3.6	Grover's Mill Pond, Mercer County	115
7:6-3.7	Lake Mohawk, Sussex County	115
7:6-3.8	South Branch of Kettle Creek, Ocean County	115
7:6-3.9	Shrewsbury and Navesink Rivers and adjacent areas; tidal waters	115

PERSONAL WATERCRAFT

<u>N.J.A.C.</u>		<u>PENALTY</u>
7:6-9.3	(a) Operation between sunrise/sunset, restricted visibility	\$115
	(b) Operation - Point Pleasant Canal	115
	(c) Operation - Cape May Canal	115
	(d) Proceeding at an unsafe speed	115
	(e) Operation - airborne/leaving the water while crossing wake of another vessel within 100 feet of vessel creating the wake	115
	(f) Operation - within 50 feet of bathing beach	115
	(g) Operation - above idle speed within 50 feet from person in water	115
	(h) Towing a waterskier or any device	115
	(i) Operation - failure to wear a U.S. Coast Guard Approved Type I, II, III, or V Hybrid Personal Flotation Device	115

PAYMENT OF STATUTORY PENALTY - R. 4:70-4(a)

1. Where the statutory penalty does not exceed \$50 for each offense, including where the minimum statutory penalty does not exceed \$50 for each offense, the defendant at any time before the hearing date, upon presentation of the signed plea of guilty and waiver of trial endorsed on the summons, may pay the penalty and in addition appropriate court costs in the Violations Bureau subject to the limitations prescribed in R. 7:7, including the limitation when the summons is marked to indicate that a court appearance is required.
2. Where the statute provides simply for a MAXIMUM penalty not in excess of \$50, it may be disposed of by payment through the Violations Bureau of one-half of the maximum penalty plus appropriate court costs.
3. Where the statute provides for a MINIMUM penalty not in excess of \$50, even though the maximum exceeds \$50, it may be paid through the Violations Bureau by a payment of the minimum penalty plus the appropriate court costs.
4. Where the statute provides for a FIXED PENALTY ONLY, not in excess of \$50, it may be paid through the Violations Bureau by a payment of the penalty fixed by statute plus the appropriate court costs.
5. Appropriate court costs shall be established as follows: Where one-half of the MAXIMUM penalty is less than \$15, court costs shall be \$10. See item 2 above. For example, if the statute provides for a maximum penalty of \$20, the amount to be paid through the Violations Bureau is \$20 -- \$10 (one-half of the maximum penalty established by the statute) plus \$10 court costs. Where the MINIMUM penalty is less than \$15, court costs shall be \$10. See item 3 above. For example, if the statute provides for a minimum penalty of \$10, the amount to be paid through the Violations Bureau is \$20 -- the \$10 minimum penalty plus \$10 court costs. Where the FIXED PENALTY is less than \$15, court costs shall be \$10. See item 4 above. For example, if the statute provides for a fixed penalty of \$10, the amount to be paid through the Violations Bureau is \$20 -- the \$10 fixed penalty plus \$10 court costs.

Otherwise, the amount of court costs shall be \$15. For example, if the statute provides for a MAXIMUM penalty of \$50, the amount to be paid through the Violations Bureau is \$40 -- \$25 (one-half of the maximum penalty established by the statute) plus \$15 court costs. If the statute provides for a MINIMUM penalty of \$35 for a violation, the amount to be paid through the Violations Bureau is \$50 -- the \$35 minimum plus \$15 court costs. If the statute provides for a FIXED PENALTY of \$35, the amount to be paid through the Violations Bureau is \$50 -- the \$35 fixed penalty plus \$15 court costs.

(Note that R. 4:70-4(a) applies to all offenses involving a statutory penalty not just to Fish and Game offenses. These offenses come under the Penalty Enforcement Law, N.J.S.A. 2A:58-1 et seq. It includes, for example, such violations as Weights and Measures, N.J.S.A. 51:1-29, Cigarette Tax Act, N.J.S.A. 54:40A-24, Fish and Game, N.J.S.A. 23:1-2, Conservation and Development, N.J.S.A. 13:9-44.10, Consumer Fraud Act, N.J.S.A. 56:8-14, Motor Fuel Retail Act, N.J.S.A. 56:6-4.1).

ALLOCATION OF PENALTY BETWEEN FINE, COSTS AND \$1 ATS SURCHARGE

The total penalty indicated on the Statewide Violations Bureau Schedule for each traffic and parking offense includes the fine, costs, and a \$1 ATS Surcharge. For each such offense, where the maximum fine or penalty allowable by the statute is less than \$15, \$10 shall be the amount of the costs, \$1 shall be the ATS Surcharge, and the balance shall be the fine. For each such offense, where the maximum fine or penalty allowable by the statute is at least \$15, \$15 shall be the amount of the costs, \$1 shall be the ATS Surcharge, and the balance shall be the fine. The payment of statutory penalties pursuant to R. 4:70-4(a) is addressed on page 12 of this Schedule.

FAILURE TO APPEAR ON RETURN DATES

1. When a supplemental notice is sent, costs will be \$10 additional.
2. When a notice of Proposed Suspension for a parking violation is sent, a \$10 penalty will be added to the penalty due.
3. When an Order to Suspend is issued for a parking violation, \$15 will be added to the penalty.
4. When a warrant is issued, unless the judge otherwise orders, the amount of the bail indicated on the warrant shall be as follows: Parking offenses - The amount of the penalty plus \$15. All other listed offenses - The amount of the penalty plus \$25.

(Note: Under the provisions of N.J.S.A. 39:5-9, costs not to exceed \$25 may be deducted from forfeited bail in traffic cases.)

5. By executing the form of Authorization to Apply Bail Against Fine(s) and Costs and Waiver of Rights, a defendant against whom a warrant has been issued waives the rights to a lawyer and a trial, enters a plea of guilty to the offense charged, and authorizes the municipal court administrator to apply the bail posted toward the payment of fines and costs owed. This form may be used only for traffic offenses, including parking offenses. Furthermore, it may be used only in those instances in which the offense charged is payable through the Statewide Violations Bureau Schedule or the violations bureau schedule adopted by the municipal court.

COURT APPEARANCE MANDATORY

For any offense not listed on this schedule (see next section on ORDINANCE VIOLATIONS), a court appearance is required unless the court authorizes defense by affidavit in accordance with the provisions of R. 7:6-6. For offenses involving traffic accidents resulting in personal injury, a court appearance is also required.

ORDINANCE VIOLATIONS - Ordinance violations, including parking and non-parking traffic offenses and other ordinance violations, may be listed on a separate Violations Bureau Schedule subject to the approval of the Assignment Judge.

APPEARANCE OF DEFENDANT IN CERTAIN CASES

The officer issuing the summons may, where in the opinion of the officer circumstances indicate the defendant should appear in court, check the complaint and summons "Court Appearance Required" in which event the case may not be processed in the Violations Bureau.

Robert D Lipscher

Robert D. Lipscher
Administrative Director of the Courts

DATED: _____

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